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 7 Victoria Gewalt

8 UNITED STATES BANKRUPTCY COURT
 9 EASTERN DISTRICT OF CALIFORNIA
 10 SACRAMENTO DIVISION

10 In Re:)	Case No.	21-20600-C-11
)	DCN:	RLC-3
11 Victoria Gewalt,)	Date:	March 24, 2021
)	Time:	11:00 a.m.
12)	Dept:	C
13 Debtor.)	Courtroom:	35
)	Judge.	Klein

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 15 **NOTICE OF MOTION TO APPROVE SALE OF**
 16 **REAL PROPERTY, COMPENSATION**
 17 **TO BROKER, AND WAIVER OF 14 DAY STAY PERIOD**
 18 **[11 U.S.C. §363(f)]**

19 **PLEASE TAKE NOTICE** that on March 24, 2021 before the Honorable Christopher
 20 M. Klein, United States Bankruptcy Court Judge, located in Department C, Courtroom 35, 6th
 21 Floor of the above-captioned Court located at 501 I Street, Sacramento, CA 95814, Stephen
 22 M. Reynolds, on behalf of Victoria Gewalt, will move the Court for an order approving sale
 23 of real property of the estate, compensation to broker, waiver of the 14 day stay period and for
 24 such other and further relief as the Court deems proper. Parties are advised that all hearings
 are currently conducted telephonically.

25 **YOU ARE FURTHER NOTIFIED** that the proposed hearing date is subject to a
 26 pending Application for Order Shortening Time. In the event that the Court does not grant the
 27 Application the hearing date for the proposed sale will be continued to another date.

28 **YOU ARE FURTHER NOTIFIED** that the property in question is commonly

1 known as commonly known as 490 Club Drive, Tahoe City, CA 96145, APN 083-340-
2 016-000 ("Property") comprising a residence of approximately 1,176 square feet on an
3 approximately 1/3rd acre lot. Debtor has accepted an offer to purchase in the amount
4 of \$826,000¹. Debtors intend to pay the first and second priority deeds of trust totaling
5 approximately \$596,000, sales commissions and costs of sale directly from escrow.

6 **YOU ARE FURTHER NOTIFIED** that pursuant to Local Rule 9014-1(f) and the
7 proposed Order Shortening Time, opposition, if any, to the Motion shall be in writing and
8 shall be served and filed with the Court by the responding party no later than March 19, 2021.
9 Opposition must be filed with the clerk of the Court, and served upon counsel for Victoria
10 Gewalt, Stephen M. Reynolds, 424 Second Street, Suite A, Davis, CA 95616 and upon the
11 Office of the US Trustee, 501 "I" Street, Suite 7-500, Sacramento, CA 95814. Opposition
12 shall be accompanied by evidence establishing its factual allegations. Without good cause, no
13 party shall be heard in opposition to the motion at oral argument if written opposition to the
14 motion has not been timely filed. Failure of the responding party to timely file written
15 opposition may be deemed a waiver of any opposition to the granting of the motion or may
16 result in the imposition of sanctions.

17 Moreover, under Local Rule 9014-1(f), the opposition shall specify whether the
18 responding party consents to the Court's resolution of disputed material factual issues
19 pursuant to Federal Rule of Civil Procedure 43(e) as made applicable by Federal Rule of
20 Bankruptcy Procedure 9017. If the responding party does not so consent, the opposition shall
21 include a separate statement identifying each disputed material factual issue. The separate
22 statement shall enumerate discretely each of the disputed material factual issues and cite the
23 particular portions of the record demonstrating that a factual issue is both material and in
24 dispute. Failure to file the separate statement shall be construed as consent to resolution of
25 the objection and all disputed material factual issues pursuant to Federal Rule of Civil
26 Procedure 43(e).

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¹ Less ski rental income from March 10 to closing but not to exceed \$4,000.

1 Parties responding to the motion are urged to consult the local rules of practice which,
2 among other sources, is available at the Court's website located at www.caeb.uscourts.gov/.

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4 Dated: March 4, 2021

REYNOLDS LAW CORPORATION

5 /s/ Stephen M. Reynolds
6 Stephen M. Reynolds
7 Attorneys for Victoria Gewalt
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